

Applicant or Patentee: Ross W. Callon and Thierry Maison Attorney's
Serial or Patent Number: 09/113,491 Docket No: IBNR-002
Filed or Issued: July 10, 1998
For System and Method for Facilitating Recovery from Communication Link Failures in a Digital Data Network

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) and 1.27 (b)) -- SMALL BUSINESS CONCERN**

I hereby declare that I am
☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN IronBridge Networks, Inc.
ADDRESS OF CONCERN 55 Hayden Avenue, Lexington, Massachusetts 02173

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled:

System and Method for Facilitating Recovery From Communication Link Failures in a Digital Data Network

Ross W. Callon and Thierry Maison by inventor(s)
described in

☐ the specification filed herewith
☒ application serial no. 09/113,491, filed July 10, 1998
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME NONE
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Kathleen Huber
TITLE OF PERSON OTHER THAN THE OWNER Vice President
ADDRESS OF PERSON SIGNING 55 Hayden Avenue, Lexington, Massachusetts, 02173

SIGNATURE

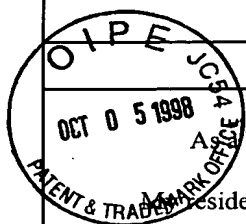
Kathleen Huber

DATE

September 30, 1998

DECLARATION, PETITION AND POWER OF ATTORNEY FOR
PATENT APPLICATION

Attorney Docket No:
IBNR-002



As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR FACILITATING RECOVERY FROM COMMUNICATION LINK FAILURES IN A DIGITAL DATA NETWORK

the specification of which (check only one):

_____ is attached hereto.

X was filed as United States Patent Application

Serial No. 09/113,491

on July 10, 1998

and was amended

on _____

(if applicable)

_____ was filed as PCT Patent Application

Serial No. _____

on _____

and was amended under PCT Article 19

on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the specification, including the claims as amended by any amendment referred to herein.

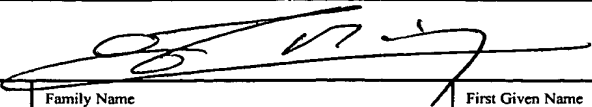
I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

PRIOR FOREIGN/PCT APPLICATION(S) AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119:

| COUNTRY (if PCT indicate PCT) | APPLICATION NUMBER | DATE OF FILING (day, month, year) | PRIORITY CLAIMED UNDER 35 U.S.C. § 119 (YES/NO) |
|----------------------------------|--------------------|--------------------------------------|--|
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| DECLARATION, PETITION AND POWER OF ATTORNEY FOR PATENT APPLICATION | | Attorney Docket No: IBNR-002 | |
| I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below. | | | |
| PRIOR U.S. APPLICATIONS FOR BENEFIT UNDER 35 U.S.C. § 119(e): | | | |
| APPLICATION NUMBER | | FILING DATE | |
| | | | |
| | | | |
| I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior applications and the national or PCT international filing date of this application: | | | |
| PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATION(S) DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. § 120: | | | |
| APPLICATION NUMBER (if PCT indicate PCT) | DATE OF FILING (day, month, year) | STATUS: (PATENTED, PENDING OR ABANDONED) | |
| | | | |
| POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. | | | |
| Mark G. Lappin | Reg. No. 26,618 | Steven M. Mills | Reg. No. 36,610 |
| Toby H. Kusmer | Reg. No. 26,418 | David F. Crosby | Reg. No. 36,400 |
| Robert J. Schiller | Reg. No. 19,248 | Anthony P. Onello | Reg. No. 38,572 |
| Elizabeth A. Levy | Reg. No. 34,375 | Ronald R. Demsher | Reg. No. 42,478 |
| David Silverstein | Reg. No. 26,336 | Carolyn G. d'Agincourt | Reg. No. 43,327 |
| Send Correspondence to: | | Direct Telephone Calls to: | |
| Steven M. Mills, Esq. LAPPIN & KUSMER, LLP 200 State Street Boston, Massachusetts 02109 | | Steven M. Mills (617) 330-1300 (617) 330-1311 (facsimile) | |
| Wherefore I petition that letters patent be granted to me for the invention or discovery described and claimed in the attached specification and claims, and hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney, and this petition. | | | |
| I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. | | | |
| Signature <i>Ross W. Callon</i> | | Date <i>9/30/98</i> | |
| Full Name of 1st Inventor | Family Name Callon | First Given Name Ross | Second Given Name W. |
| Residence & Citizenship | City Westford | State or Foreign Country Massachusetts | Country of Citizenship U.S.A. |
| Post Office Address | Post Office Address 11 Applewood Drive | City Westford | State & Zip Code/Country MA, 01886, U.S.A. |

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|--|--|--|--|
| DECLARATION, PETITION AND POWER OF ATTORNEY FOR PATENT APPLICATION | | | Attorney Docket No: IBNR-002 |
| Signature  | | Date <i>September 30, 1998</i> | |
| Full Name of 2nd Inventor | Family Name Maison | First Given Name Thierry | Second Given Name |
| Residence & Citizenship | City Franklin | State or Foreign Country Massachusetts | Country of Citizenship France |
| Post Office Address | Post Office Address 7 Gloucester Drive | City Franklin | State & Zip Code/Country MA, 02038, U.S.A. |